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(List of attorneys continued on next page)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

MINERAL COUNTY,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,
et al.,

Defendants.

) 3:73-cv-00128-MMD-WGC
)
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)
)
) **PRINCIPAL DEFENDANTS' JOINT**
) **MOTION TO DISMISS MINERAL**
) **COUNTY'S SECOND AMENDED**
) **COMPLAINT IN INTERVENTION**
) **PURSUANT TO FED. R. CIV. P.**
) **12(b)(1), 12(B)(6) and 12(b)(7)**

) **ORAL ARGUMENT REQUESTED**
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11 *Livestock*

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22 *Family Ranch, LLC,*

Peri & Peri, LLC, and Frade Ranches, Inc.

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24 (List of attorneys continued on following page)

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1 The Principal Defendants'¹ move the Court for an order dismissing Mineral County's
2 Second Amended Complaint in Intervention as follows:

3 (1) Pursuant to Fed. R. Civ. P. 12(b)(1) on the ground that the Court lacks subject
4 matter jurisdiction;

5 (2) Pursuant to Fed. R. Civ. P. 12(b)(7) on the ground that it fails to join a necessary
6 party under Fed R. Civ. P. 19; and

7 (3) Pursuant to Fed. R. Civ. P. 12(b)(6) on the ground that it fails to state a claim
8 upon which relief can be granted.
9

10 This motion is made and based upon all of the pleadings and papers on file herein and the
11 Points and Authorities which are filed herewith under separate cover.

12 Date: October 28, 2021

WOODBURN AND WEDGE
6100 Neil Road, Suite 500
Reno, Nevada 89511

13 By: /s/ Gordon H. DePaoli
14 Gordon H. DePaoli,
15 Dale E. Ferguson, Domenico R. DePaoli
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17 Reno, Nevada 89511
18 *Attorneys for Walker River Irrigation District*

19 Date: October 28, 2021

AARON D. FORD, NEVADA ATTORNEY GENERAL

20 By: /s/ Anthony Walsh (per authorization)
21 Anthony Walsh, NSB# 14128
22 *Attorneys for Nevada Department of Wildlife*
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26 ¹ Here the "Principal Defendants" are the Walker River Irrigation District, Desert Pearl
27 Farms, LLC, Peri Family Ranch, LLC, Peri & Peri, LLC, and Frade Ranches, Inc., Lyon
28 County and Centennial Livestock, the Nevada Department of Wildlife, the Schroeder Group,
and Mono County.

1 Date: October 28, 2021

BEST BEST & KRIEGER LLP

2 By: /s/ Roderick E. Walston (per authorization)
3 Roderick E. Walston, Cal. Bar No. 32675
4 *Attorneys for Lyon County and Centennial Livestock*

5 Date: October 28, 2021

THE COUNTY OF MONO (CA)

6 By: /s/ Stacey Simon (per authorization)
7 Stacey Simon, Cal. Bar No. 203987
8 *Attorneys for Mono County*

9 Date: October 28, 2021

SIMONS HALL JOHNSTON PC

10 By: /s/ Brad Johnston (per authorization)
11 Brad Johnston, NSB# 8515
12 *Attorneys for*
13 *Desert Peral Farms, Peri Family Ranch, LLC, Peri & Peri*
14 *LLC, and Frade Ranches*

15 Date: October 28, 2021

SCHROEDER LAW OFFICES, P.C.

16 By: /s/ Laura Schroeder (per authorization)
17 Laura Schroeder, NSB# 3595
18 *Attorneys for The Schroeder Group*
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CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the 28th day of October 2021, I electronically served the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

/ s / Katherine M. Rodriguez

Katherine M. Rodriguez